KING & SPALDING, LLP

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MAR 1 1 2005

FAX TRANSMITTAL SHEET March 11, 2005

TO: Examiner E. Kiss **GAU 2122**

Company:

U.S. Patent and Trademark Office

Fax #:

703-872-9306

City/State:

Alexandria, VA 22313

Mail Stop ISSUE FEE

FROM: Steven P. Wigmore

5551

Our Ref. #:

05456.105041

NUMBER OF PAGES (including transmittal sheet). 30

U.S. Serial No. 09/642,625

CONFIDENTIALITY NOTICE

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Notes/Comments:

Documents Submitted Via Facsimile:

Applicant:

Peter A.J. Van Der Made

Serial No.:

09/642,625

Filed:

August 18, 2000

For:

Computer Immune System and Method for Detecting Unwanted Code in a

Computer System

Request for Initialed Copies of the PTO-1449 Forms [2-pgs.]; IDS's filed on (February 7, 2003 [4-pgs.]; April 3, 2002 [4-pgs.]; March 22, 2002 [4-pgs.]; July 26, 2001 [4pgs.]; June 27, 2001 [3-pgs.]; and August 18, 2000 [2-pgs.]; post card receipts [6-pgs.]

RECEIVED CENTRAL FAX CENTER

MAR 1 1 2005

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Ar	oplication of:	
Peter A	. J. Van Der Made) Art Unit: 2122
Serial No. 09/642,625		Confirmation No. 8243
Filed:	August 18, 2000	Examiner: Kiss, E.
•	Computer Immune System and Method for Detecting Unwanted Code in a Computer System)))

REQUEST FOR INITIALED COPIES OF THE PTO-1449 FORMS FILED WITH THE INFORMATION DISCLOSURE STATEMENTS

Commissioner for Patents
Mail Stop Box Issue Fee
Alexandria, VA 22313-1450

March 11, 2005

Sir:

The Applicant respectfully requests the Examiner to consider and initial the attached PTO-1449 forms that were previously filed with six Information Disclosure Statements (IDS's) prior to the Notice of Allowance of February 28, 2005. The Applicant has not received copies of these PTO-1449 forms that bear the Examiner's initials.

For the Examiner's convenience, attached hereto are copies of the IDS's with the PTO-1449 forms that were not properly initialed by the Examiner. These documents were filed on the following dates: February 7, 2003, PTO-1449 (3-pgs.); April 3, 2002, PTO-1449 (1-pg); March 22, 2002, PTO-1449 (1-pg.); July 26, 2001, PTO-1449 (1-pg.); June 27, 2001, PTO-1449 (1-pg.); and August 18, 2000, PTO-1449 (1-pg.). The Applicant has also provided post card receipts for each submission that evidences the receipt of these documents in the U.S. Patent and Trademark Office.

I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, Mail Stop Issue Fee, P. O. Box 1450, Alexandria, VA 22313-1450, GAU 2122, Attn: Examiner E. Kiss, Facsimile No. (703) 872-9306 on March 11, 2005.

Steven P. Wigmore, Reg. No. 40,447

The U.S.P.T.O. official mailroom stamp affixed hereto acknowledges receipt of the items listed below.

Applicant

Peter A.J. van der Made

Serial No.

09/642,625

Title

Computer Immune System and Method for Detecting Unwanted

Code in a Computer System

Papers Submitted:

Information Disclosure Statement (1 pg.); PTO-1449 form (3

pgs.); copies of thirty-one (31) cited references; Return Postcard

Attorney Date Mailed Docket

WSP/Ilo

February 7, 2003 NSP

05456.105041

S.N. 09/642625 File No. 81924 ood D Title Computer Immune System (Client Name) VCIS Inc.	ant and Trademark office was received in the Patent
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PATENT 81924.0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter A.J. van der Made

Serial No: 09/642,625

Filed:

August 18, 2000

For:

COMPUTER IMMUNE SYSTEM

AND METHOD FOR DETECTING

UNWANTED CODE IN A COMPUTER SYSTEM

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

Dear Sirs:

Examiner: Not Assigned			
	I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed to:		

Art Unit: 2122

Commissioner for Patents Washington D.C. 20231, on

April 3, 2002

Pate of Peposit

Wilhamid, Wright Reg. txo. 36,312

Name

A/3/02

Signature

Date

- 1. The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
- 2. The information disclosure statement transmitted herewith is being filed after the period specified in §1.97(b), but before the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

I, the person signing below, state:

that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the

PATENT 81924.0001

information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

		§1.97(e)(2).
		OR FEE
		Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.
3.		The information disclosure statement transmitted herewith is being filed after the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).
		§1.97(e) STATEMENT
		I, the person signing below, state:
		that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
		OR
		that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).
		AND FEE
		Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4.	\boxtimes	If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.

5. A list of 4 reference(s) is in the enclosed Form PTO-1449.

PATENT 81924.0001

NON-ENGLISH LANGUAGE REFERENCES

Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
The specification incorporates comments on the relevancy of Non-English language references.
Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Date: April 3, 2002

Biltmore Tower 500 South Grand Avenue, Suite 1900 Los Angeles, CA 90071

Telephone: (213) 337-6700 Facsimile: (213) 337-6701 Respectfully submitted, HOGAN & HARTSON L.L.P.

By: William H. Wright

Registration No. 36.312)
Attorney for Applicant(s)

(Client Name) VCIS Inc.	
The Following due is the U.S. Pate	nt and Trademark office was received in the Pa
& Trademark Office on the date stamped hereons	
Amendment E MAR 2	Drawing: # of Sheets
Amendment Preliminary Amendment	
PCT Application Including	Issue Ree Transmittal RECEIV
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Declaration. Affidavit of Oath (Page(s))	Advance soft copy or CKETIN
Assign. Ck Nofor \$	CIE. NOKOr \$
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Letter of Transmittal	Certified Copy# of docs
Amendment Under 37 C.F.R.1.312 (a)	Priority
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PATENT 81924,0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter A.J. van der Made

Serial No: 09/642,625

Filed:

August 18, 2000

For:

COMPUTER IMMUNE SYSTEM

AND METHOD FOR DETECTING

UNWANTED CODE IN A COMPUTER SYSTEM

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

§1.97(b).

Dear Sirs:

Art Unit: 2122

Examiner: Not Assigned

I hereby cartify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed

Commissioner for Patents Washington D.C. 20231, on March 22, 2002

Date of Deposi Whiam H. Wright Reg. No. 36.312

Date

-	The information disclosure statement submitted herewith is being med within three
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	application, or within three months of the date of entry into the national stage of an
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	merits, or before the mailing of a first Office action after the filing of a request for
	merits, or before the maining of a most office and a most office a
	continued examination under \$1.114, whichever event occurs table 5. 5.2

2. The information disclosure statement transmitted herewith is being filed after the period specified in §1.97(b), but before the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

81.97(e) STATEMENT

	81.51(e) BIRIDMEN.
	ne person signing below, state:
	that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
	OR
_	that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification

after making reasonable inquiry, no item of information contained in the

PATENT 81924.0001

information disclosure statement was known to any individual designated in \$1.56(a) more than three months prior to the filing of the statement. 37 C.F.R.

	§1.56(c) more than three months prior to the filing of the statement. 37 C.F.M. §1.97(e)(2).
	OR FEE
	Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.
per	e information disclosure statement transmitted herewith is being filed after the riod specified in §1.97(c), but before, or simultaneously with the payment of the ue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are sluded. 37 C.F.R. §1.97(d).
	§1.97(e) STATEMENT
I, t	the person signing below, state:
	that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
	OR
	that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).
	AND FEE
	Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
ex ne ab	it should be determined that for any reason either an insufficient fee or an accessive has been paid, please charge any insufficiency or credit any overpayment accessary to ensure consideration of the information disclosure statement for the sove-identified application to Deposit Account No. 50-1314. A copy of this etition is enclosed.
	The per iss income I, to the per iss income I,

5. A list of 4 reference(s) is in the enclosed Form PTO-1449.

PATENT 81924.0001

NON-ENGLISH LANGUAGE REFERENCES

Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
The specification incorporates comments on the relevancy of Non-English language references.
Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Date: March 22, 2002

Biltmore Tower 500 South Grand Avenue, Suite 1900

Los Angeles, CA 90071 Telephone: (213) 337-6700 Facsimile: (213) 337-6701 Respectfully submitted, HOGAN & HARTSON L.L.P.

William H. Wright

Registration No. 36,312 Attorney for Applicant(s)

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PATENT 81924.0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re aj	pplication of:	Art Unit:	2122	
Peter A.J. van der Made		Examiner:	Not Assigned	
Serial I	No: 09/642,625			
Filed: August 18, 2000		I hereby certify that this correspondence is being deposited with the United States Postal Service with		
1	COMPUTER IMMUNE SYSTEM AND METHOD FOR DETECTING UNWANTED CODE IN A COMPUTER SYSTEM	an envelope ad Commissioner Washington D July 26, 280	for Patents C. 2023 Jon	
<u>INFO</u>	SMITTAL OF SUPPLEMENTAL RMATION DISCLOSURE STATEMENT	Date of Dep William H. V Parte Signature	7/26/01 Date	
	ssioner for Patents agton, D.C. 20231	()		
Dear S				
1. The information disclosure statement submitted herewith is being filed within the months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of a international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).				
2.	The information disclosure statement transmitted period specified in §1.97(b), but before the mailing of §1.113, or a notice of allowance under §1.311, or an prosecution in the application, whichever occurs fir §1.97(e) or a fee set forth in §1.17(p) is included. 37	action that of st. A stateme	therwise closes ent specified in	
	§1.97(e) STATEMENT			
	I, the person signing below, state:			
that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).				
	OR			
	that no item of information contained in the inwas cited in a communication from a foreign pa	formation disc atent office in	closure statement a counterpart	

PATENT 81924.0001

foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

		§1.97(e)(2).
•		OR FEE
		Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).
3.		The information disclosure statement transmitted herewith is being filed <i>after</i> the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).
		§1.97(e) STATEMENT
		I, the person signing below, state:
		that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
		OR
		that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).
		AND FEE
		Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4.	Ø	If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the

5. A list of 1 reference(s) is in the enclosed Form PTO-1449.

above-identified application to Deposit Account No. 50-1314. A copy of this

petition is enclosed.

PATENT 81924.0001

NON-ENGLISH LANGUAGE REFERENCES

□	Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
	The specification incorporates comments on the relevancy of Non-English language references.
	Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Date: July 26, 2001

Biltmore Tower 500 South Grand Avenue, Suite 1900 Los Angeles, CA 90071

Telephone: (213) 337-6700 Facsimile:

(213) 337-6701

Respectfully submitted, HOGAN & HARTSON L

By:

Registration No. 36,312 Attorney for Applicant(s)

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S.N. 09/642/625 File No.81	924:0001. Date N	and Method	<u> </u>
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PATENT 81924.0001

Date

2122

Examiner: Not Assigned

Art Unit:

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re	application	of:
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Peter A.J. van der Made

Serial No: 09/642,625

Filed

For:

Commissioner for Patents Washington, D.C. 20231

Dear Sirs:

l: August 18, 2000	I hereby certify that this correspondence is being deposited with the United States Postal Service with
COMPUTER IMMUNE SYSTEM AND METHOD FOR DETECTING UNWANTED CODE IN A COMPUTER SYSTEM	sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents Washington D.C. 20231, on
	June 27, 2001 Date of Deposit
NSMITTAL OF INFORMATION CLOSURE STATEMENT	William H. Wright, Ref. No. 36.312

- 1.

 The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
- The information disclosure statement transmitted herewith is being filed after the period specified in §1.97(b), but before the mailing date of a final action under

§1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).			
§1.97(e) STATEMENT			
I, the person signing below, state:			
that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).			
OR			
that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart			

PATENT 81924.0001

NON-ENGLISH LANGUAGE REFERENCES

Enclosed is a search report for a counterpart application. The search report Earth tender has provided comments on the relevancy of any non-English language references cited in the search report.		
The specification incorporates comments on the relevancy of Non-English language references.		
Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:		
Respectfully submitted, HOGAN & HARTSON L.L.P.		

Date: June 27, 2001

Biltmore Tower 500 South Grand Avenue, Suite 1900

Los Angeles, CA 90071 Telephone: (213) 337-6700

Telephone: (213) 337-6700 Facsimile: (213) 337-6701 Registration No. 35,312 Attorney for Applicant(s)

S.N. Not 1851 Ghed File No. 87924-0001 Date Mailed 8/18/00 - By: Wilhuling			
Title Computer Immune	System A	and Method for	~ Detecting
(Client Name) VC IS, Inc	- 1 		
The Following due	- ·	and Trademark office wa	is received in the Patent
& Trademark Office on the date stamp	ed hergon: p TO	•	
Amendment 09	642625	Drawing: # of Sheets	6
Preliminary Amendment		Form	
PCT Application Including	8/18/00	Issue Fee Transmit	ENTERED
Pages SpecPage Abstract_	Claims	Letter Re	ENTER
Application for Patent Including	(5	Notice of Appeal	2 2 3000
Pages SpecPage Abstract_	/ Claims	Petition for	
Declaration Affidavit of Oath (Advance soft copy	order For \$
Assign. Ck No. 105/3 for \$_	40 - OV	Ck. No	For \$
Verified Statement		IDS:5_References	,
Letter of Transmittal (2)		Certified Copy# or	f docs
Amendment Under 37 C.F.R.1.312	2 (a)	Priority	
X Check No. 105/5 for \$ 34	VO. 2		a EspessMil
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